

Exhibit “G”

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND
COMPOUNDING PHARMACY,
INC. PRODUCTS LIABILITY MDL No. 2419
LITIGATION

Master Dkt:
1:13-md-02419-RWZ

~~~~~  
THIS DOCUMENT RELATES  
TO:

All Actions

~~~~~

VIDEOTAPED DEPOSITION OF
DAWN RUDOLPH

9:09 a.m.
April 21, 2015

Suite 700
1600 Division Street
Nashville, Tennessee

Blanche J. Dugas, RPR, CCR No. B-2290

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43 Also Present:

44 Dan Makowski, videographer

1 if you'd like.

2 A. Okay.

3 Q. And no one is going to be impatient if you
4 want to do that.

5 So you're currently the chief experience
6 officer at St. Thomas Health; is that right?

7 A. Yes.

8 Q. And that's a job you've had since July of
9 2013?

10 A. Yes.

11 Q. How did you come to have that job?

12 A. I was asked to help create the role for St.
13 Thomas Health. At that time the organization was
14 going through a reorganization of its executive team.

15 Q. Okay. Is this the same reorganization that
16 was occurring in October 2012?

17 A. No.

18 Q. Who asked you to create the position of
19 chief experience officer?

20 A. Dr. Schatzlein.

21 Q. Who do you currently report to?

22 A. I currently report to Karen Springer, chief
23 operating officer for the Health system.

24 Q. She's the chief operating officer for St.
25 Thomas Health?

1 Q. Say yes, no or even yeah or no. Uh-huh
2 (affirmative) and huh-uh (negative) get a little
3 confusing.

4 A. I'll warm up here and get better.

5 Q. You're doing great.

6 So does the ministry, is that the term
7 that's used for more broadly -- to more broadly
8 describe the entities within the St. Thomas Health
9 system, or are they pretty synonymous, Health system
10 and ministry?

11 A. Yes, they're pretty much synonymous. There
12 are several entities and as we come together, it's
13 considered a ministry.

14 Q. Are joint ventures considered part of the
15 ministry?

16 A. No. I wouldn't put the joint ventures into
17 the ministry because their associates are separate
18 from our associates. So typically when we say Health
19 ministry, it's kind of internal and associate driven.

20 Q. So when you say ministry in reference to
21 the Nashville area, you're talking about, what, what
22 entity?

23 A. The hospitals.

24 Q. So St. Thomas West?

25 A. Correct.

1 A. The distinction is that they're separate
2 HR. They're separate -- there's a separateness. We
3 have leadership development that we include the
4 associates within the leadership teams within our
5 entities, and the joint ventures work I think in their
6 own processes and with their own leadership teams.

7 So we don't typically include them in that
8 type of activity. I know that HR is separate. We do
9 lists of, you know, who may be involved in things.
10 They're not a part of that. So that's where I draw a
11 boundary of it.

12 Q. And you're familiar with STOPNC or the St.
13 Thomas Outpatient Neurosurgical Center?

14 A. Yes.

15 Q. Were you on the board of the St. Thomas
16 Outpatient Neurosurgical Center at one time?

17 A. Yeah, for a short time. Uh-huh
18 (affirmative).

19 Q. For what time period?

20 A. Officially, I became a board member in
21 January of 2013 and then rolled off at some point in
22 time in the spring. And, I'm sorry, I don't recall
23 the date. We were near this time when I moved into
24 the new role of chief experience officer. Prior to
25 that -- that was the official time period.

1 Q. Why was that?

2 A. He took a position in Tucson, Arizona with
3 the company, with Ascension.

4 Q. So was there a period of time when the St.
5 Thomas -- let me back up.

6 You understand that there were two board
7 seats for St. Thomas?

8 A. I do.

9 Q. And two board seats for Howell Allen on the
10 STOPNC board?

11 A. I do.

12 Q. And at one point, one of the St. Thomas
13 seats was vacated; is that right?

14 A. Yes.

15 Q. And was there a period of time where that
16 remained vacant?

17 A. A couple of months, I think, where there
18 was a decision of who would take that seat, and then
19 the second seat was vacated in December.

20 Q. Who was sitting in that seat in the fall of
21 2012?

22 A. In the fall of 2012, I believe it was Craig
23 Polkow was a board member, and Dale Batchelor, Dr.
24 Batchelor.

25 Q. Craig, what was his last name?

1 A. Polkow.

2 Q. How do you spell that?

3 A. P-O-L-K-O-W.

4 Q. Okay. And was Mr. Polkow the replacement
5 for Mr. Strauss?

6 A. Yes.

7 Q. Do you know when Mr. Strauss vacated his
8 seat?

9 A. On or around July of 2012. I don't recall.
10 I know it was in the summer.

11 Q. And when you attended the board meeting,
12 was Mr. Polkow on the board at that time?

13 A. It was Craig on board when I attended the
14 meeting. If I could confirm that date. I believe he
15 would have been, yes.

16 Q. We'll look at some documents that may help
17 you with that a little bit later today.

18 A. Okay.

19 Q. When you attended the -- let me back up.
20 You've only attended one STOPNC board
21 meeting in 2012; is that right?

22 A. I believe it was one.

23 Q. And at that time you were not a member of
24 the STOPNC board; is that right?

25 A. I -- I understood that there was an open

1 A. Yes.

2 Q. Let's go back, if we could, please, to
3 Exhibit 215, which is your CV.

4 A. Okay.

5 Q. And let's go back to the time when you were
6 the chief executive officer of St. Thomas West
7 Hospital. Who was your employer at that time?

8 A. I worked for St. Thomas West.

9 Q. Did you receive a paycheck from St. Thomas
10 West?

11 A. You know, I had to think about that. I
12 don't honestly recall. It was electronic. So I would
13 have to go back and look to see. I believe it was St.
14 Thomas Hospital was the -- now, we went through a -- a
15 change in the provider of our paychecks. So, you
16 know, I considered that I worked for St. Thomas West.

17 Q. And at that time -- you may have answered
18 this earlier -- when you were CEO of St. Thomas
19 West -- and this is November 2010 through July 2013?

20 A. Yes.

21 Q. -- who was -- who did you directly report
22 to?

23 A. I directly reported to Dr. Michael
24 Schatzlein.

25 Q. What was his position in 2012?

1 Q. Did you tell them you were Methodist?

2 A. Yeah, I did. I did.

3 Q. Was Mr. Strauss the CFO of St. Thomas
4 Health?

5 A. Yes.

6 Q. Was he the CFO of -- Mr. Strauss -- when --
7 I'm sorry. Let me do that again.

8 Was Mr. Strauss the CFO of St. Thomas
9 Health when he sat on the board of STOPNC?

10 A. Yes.

11 Q. And when Mr. Batchelor -- Dr. Batchelor sat
12 on the board of STOPNC, he was in a position with St.
13 Thomas Hospital?

14 A. Yes.

15 Q. What was his job?

16 A. Chief medical officer. He was the CMO.

17 Q. So when Dr. Batchelor was on the board of
18 STOPNC, he was the chief medical officer of St. Thomas
19 Hospital?

20 A. Yes.

21 Q. And what was Mr. Polkow's position when he
22 sat on the board of STOPNC?

23 A. He replaced Mr. Strauss as the CFO for St.
24 Thomas Health and so then took that board seat.

25 Q. And you as CFO -- I'm sorry -- and you as

1 MR. SCHRAMEK: I'm going to object to
2 the question and I'm going to instruct the
3 witness not to answer it because you left
4 out, "Subject to such limitations as are
5 otherwise set forth in the act, or this
6 agreement," which is misleading,
7 mischaracterizing and I think an abuse of
8 the process.

9 Q. (By Mr. Chalos) Are you going to refuse to
10 answer my question?

11 A. I was instructed --

12 MR. SCHRAMEK: You want to ask about
13 the entire sentence? If she understood
14 that entire sentence, then she can answer
15 the question.

16 Q. (By Mr. Chalos) Forget about this
17 sentence. Did you understand when you took over
18 the -- as a board member of STOPNC that STOPNC's
19 business and affairs shall be managed by and be under
20 the direction of its board of governors?

21 A. I understood that the business and the
22 operations of the STOPNC were under a management
23 agreement and that the board had oversight of the --
24 of the financial affairs of the LLC.

25 Q. Who told you that?

1 systems level role?

2 A. Yeah, we do have an executive director of
3 pharmacy at the system level now.

4 Q. Is there a director of pharmacy for St.
5 Thomas West Hospital?

6 A. Yes, I believe there is.

7 Q. Who is that?

8 A. Carmen Leffler.

9 Q. Is that a man or a woman?

10 A. A woman.

11 Q. Is she -- she took over Mr. Kelvas's role?

12 A. While I was there, she became kind of
13 interim. It was entitled interim director, and I
14 think she then took that title in full.

15 Q. Did Mr. Kelvas have anything to do with
16 STOPNC?

17 A. No.

18 Q. Did any of the St. Thomas Hospital
19 employees who were let go have any role other than Dr.
20 Batchelor with STOPNC?

21 A. No.

22 Q. What was Pat Stafonic's job?

23 A. I believe Pat was over -- because there
24 was, you know -- like I said, we were consolidating
25 positions, and I think the last area that Pat was over

DISCLOSURE

Pursuant to Article 10.B of the Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia which states: "Each court reporter shall tender a disclosure form at the time of the taking of the deposition stating the arrangements made for the reporting services of the certified court reporter, by the certified court reporter, the court reporter's employer or the referral source for the deposition, with any party to the litigation, counsel to the parties, or other entity. Such form shall be attached to the deposition transcript," I make the following disclosure:

I am a Georgia Certified Court Reporter. I am here as a representative of Discovery Litigation Services, LLC. Discovery Litigation Services, LLC was contacted to provide court reporting services for the deposition. Discovery Litigation Services, LLC will not be taking this deposition under any contract that is prohibited by O.C.G.A. 9-11-28(c).

Discovery Litigation Services, LLC has no contract/agreement to provide reporting services with any party to the case, any counsel in the case, or any reporter or reporting agency from whom a referral might have been made to cover this deposition.

Discovery Litigation Services, LLC will charge its usual and customary rates to all parties in the case, and a financial discount will not be given to any party to this litigation.

Blanche J. Dugas
CCR No. B-2290

1 STATE OF GEORGIA:

2 COUNTY OF FULTON:

3
4 I hereby certify that the foregoing
5 transcript was reported, as stated in the
6 caption, and the questions and answers
7 thereto were reduced to typewriting under
8 my direction; that the foregoing pages
9 represent a true, complete, and correct
10 transcript of the evidence given upon said
11 hearing, and I further certify that I am
12 not of kin or counsel to the parties in the
13 case; am not in the employ of counsel for
14 any of said parties; nor am I in any way
15 interested in the result of said case.

16
17
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19
20 BLANCHE J. DUGAS, CCR-B-2290
21
22
23
24
25

CAPTION

The Deposition of DAWN RUDOLPH, taken in the matter, on the date, and at the time and place set out on the title page hereof.

It was requested that the deposition be taken by the reporter and that same be reduced to typewritten form.

It was agreed by and between counsel and the parties that the Deponent will read and sign the transcript of said deposition.

DEPOSITION ERRATA SHEET

DLS Assignment No. 21724

Case Caption: In Re: New England Compounding
Pharmacy, Inc. Products Liability Litigation

Witness: DAWN RUDOLPH - 04/21/2015

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that I have read
the entire transcript of my deposition taken in the
captioned matter or the same has been read to me, and
The same is true and accurate, save and except for
changes and/or corrections, if any, as indicated by me
on the DEPOSITION ERRATA SHEET hereof, with the
understanding that I offer these changes as if still
under oath.

Signed on the 21 day of
May, 2015.

A handwritten signature in cursive script, appearing to read "Dawn Rudolph", is written over a horizontal line.

DAWN RUDOLPH

DEPOSITION ERRATA SHEET

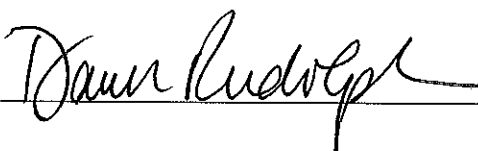
Page and line	Change to	Reason for change
GLOBAL	"St. Thomas Health" should be "Saint Thomas Health"	Transcription error
GLOBAL	"St. Thomas Network" should be "Saint Thomas Network"	Transcription error
GLOBAL	"St. Thomas West" should be "Saint Thomas West"	Transcription error
GLOBAL	"Stafrican" should be "Stefarik"	Transcription error or misspoke
23/17	"months" should be "weeks"	Transcription error or misspoke
27/1	"HCA" should be "ACA"	Transcription error
30/13	"is" should be "are"	Transcription error or misspoke
30/21	"The" should be "Any"	Clarification
32/18-19	"under my responsibilities as an executive in the Saint Thomas Health ministry" should be after "If asked, I would say it was"	Clarification
41/9	Change "I believe so" to "I believe it is a contracted service."	Clarification
50/22	Change first sentence to "Yes, the Ethical and Religious Directives for Catholic Health Care Services."	Misspoke
78/16	Change to "As the CEO of St. Thomas Hospital, we did have an on-call arrangement with Howell Allen"	Transcription error or misspoke
103/6	Change "didn't" to "did"	Transcription error or misspoke
127/14	Change "St. Thomas" to "Saint Thomas Health"	Clarification
130/13	Change "when giving" to "given"	Transcription error
131/5	Change "no" to "not"	Transcription error or misspoke
131/13	financial interest from Saint Thomas Network	Clarification
134/14	Change "St. Thomas" to "Saint Thomas Network"	Clarification
151/15	Change "was" to "were"	Transcription error or misspoke
158/22	My understanding, yes, with a Saint Thomas Entity.	Clarification
167/9	"at" before 1808	Transcription error or misspoke
172/12	Change "St. Thomas" to "Saint Thomas Health"	Clarification
176/24	"of" in between "treatment" and "the"	Transcription error or misspoke
177/3	Change "officer" to "office"	Transcription error
179/12	"a" between "considering" and "comprehensive"	Transcription error or misspoke
182/9	Change "HTHS" to "STHS"	Transcription error
190/3	Change "quarter" to "corridor"	Transcription error

SIGNATURE: Dawn Rudolph DATE: 5/21/15

DEPOSITION ERRATA SHEET

222/20	Change "was" to "were"	Transcription error or misspoke
223/18	"no, I don't, outside of Saint Thomas Health and St. Thomas Hospital"	Clarification
239/12	Change "Scrips" to "Scripts"	Transcription error
241/17	Add "Hospital" after "St. Thomas"	Clarification
243/22	Change "was" to "were"	Clarification
244/7	Change "was" to "were"	Clarification
250/1	Change "was" to "were"	Clarification
254/4	Add "Hospital" after "St. Thomas"	Clarification
269/14	Add "Hospital" after "St. Thomas"	Clarification
280/3	After "Yes" add, "two from Saint Thomas Network, two from Howell Allen"	Clarification

SIGNATURE: _____



DATE: _____

5/21/15